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Attorneys for Plaintiff Tracye B. Washington

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

TRACYE B. WASHINGTON,

Plaintiff,

v.

W.A. DUNCAN; R. BOUCHER;
L. HERNANDEZ; E. MOORE; A. GOMEZ;
R. PEREZ; L. BAEZ; and W.L. MUNIZ,

Defendants.

Case No. C 05-2775 WHA (PR)

**STIPULATION AND ~~PROPOSED~~
ORDER RE: MODIFICATION OF
CASE MANAGEMENT
CONFERENCE DATE**

WHEREAS, on July 6, 2005, Plaintiff Tracye B. Washington filed a complaint against Defendants W.A. Duncan, R. Boucher, L. Hernandez, E. Moore, A. Gomez, R. Perez, L. Baez and W.L. Muniz;

WHEREAS, on March 10, 2006, W.L. Muniz, R. Perez and W.A. Duncan were terminated as Defendants;

WHEREAS, on March 15, 2006, the Court issued summonses as to Defendants R. Boucher, L. Hernandez, E. Moore and A. Gomez and on March 8, 2007 this Court issued a summons as to Defendant L. Baez;

STIPULATION AND ~~PROPOSED~~ ORDER RE: MODIFICATION
OF CASE MANAGEMENT CONFERENCE DATE

CASE NO. C-05-2775 WHA (PR)

1 WHEREAS, on May 23, 2011, this Court issued an Order granting summary judgment in
 2 favor of Defendant E. Moore and denying summary judgment motions made by Defendants L. Baez,
 3 L. Hernandez, A. Gomez and R. Boucher;

4 WHEREAS, on November 3, 2011, this Court appointed Sebastian Miller as counsel for
 5 Plaintiff pursuant to 28 U.S.C. 1915(e)(1) and the Court's Federal Pro Bono Project guidelines;

6 WHEREAS, on November 3, 2011, this Court also ordered counsel for Plaintiff and
 7 Defendants to appear at a Case Management Conference on December 15, 2011 at 11:00 a.m.;

8 WHEREAS, due to a long standing commitment, Sebastian Miller, counsel for the Plaintiff,
 9 will be out of town the week of December 11 and therefore will not be able to attend the Case
 10 Management Conference scheduled for December 15, 2011;

11 WHEREAS, Emily Brinkman, counsel for the Defendants, be visiting family out of town
 12 during the Christmas holidays and therefore will not be available on either December 22, 2011 or
 13 December 29, 2011;

14 WHEREAS, counsel for Plaintiff and counsel for Defendants are both available to attend a
 15 Case Management Conference on January 5, 2012;

16 WHEREAS, Plaintiff and Defendants agree to submit a Joint Case Management Statement
 17 by December 8, 2011 and recommence discovery before that date;

18 **IT IS HEREBY STIPULATED** by the parties, by and through their undersigned counsel,
 19 that:

- 20 (1) The case management conference previously scheduled for December 15,
 21 2011, at 11:00 a.m., is adjourned to January 5, 2011 at 11:00 a.m.;
- 22 (2) Plaintiff and Defendants will file a Joint Case Management Statement with
 23 this Court by December 8, 2011.

1 Dated: November 7, 2011

DEWEY & LEBOEUF LLP

2 By: /s/ Sebastian L. Miller

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10 *Attorneys for Plaintiff*

11 Dated: November 7, 2011

DEPARTMENT OF JUSTICE

12 By: /s/ Emily L. Brinkman

13 Emily L. Brinkman
14 Emily.Brinkman@doj.ca.gov
CA Attorney General
15 455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102
16 Tel: (415) 703-5742

17 *Attorney for Defendants Gomez, Baez, Hernandez,*
18 *and Boucher*

19
20 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

21
22 Dated: November 8, 2011

23 
HONORABLE WILLIAM ALSUP

1 I, Sebastian L. Miller, am the ECF User whose ID and password are being used to file this
2 STIPULATION AND [PROPOSED] ORDER RE: MODIFICATION OF CASE MANAGEMENT
3 CONFERENCE DATE. In compliance with General Order 45, X.B., I hereby attest that counsel
4 whose e-signature appears on the foregoing signature page has concurred with this filing.
5

6 /s/ Sebastian L. Miller
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